

Political Aphorisms:
OR, THE 235
TRUE MAXIMS
OF
GOVERNMENT
DISPLAYED.

Wherein is likewise Proved,

That *Paternal Authority* is no Absolute Authority, and that *Adam* had no such Authority.

That there neither is or can be any Absolute Government *De Jure*, and that all such pretended Government is Void.

That the Children of *Israel* did often Resist their evil Princes without any Appointment or foretelling thereof by God in Scripture.

That the Primitive Christians did often Resist their Tyrannical Emperors, and that Bishop *Athanasius* did approve of Resistance.

That the Protestants in all Ages did Resist their Evil and Destructive Princes.

Together with a Historical Account of the Depriving of Kings for their Evil Government, in *Israel*, *France*, *Spain*, *Portugal*, *Scotland*, and in *England* before and since the Conquest.

By way of Challenge to Dr. *William Sherlock*, and Ten other New Dissenters, and Recommended as proper to be Read by all Protestant Jacobites.

He that being often Reproved, hardneth his Neck, shall suddenly be destroyed, and that without Remedy, Prov. 29. 21.

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THE
PREFACE.

After all the signal Deliverances God hath vouchsafed to these Brittish Islands, and the many eminent Appearances of Divine Providence in our late happy Revolution, even to this day, one would think no Protestant should repine at this happy and advantageous Change, from an Arbitrary to a Legal Monarchy, but reckon it his Felicity to have lived to this day, to see the Imperial Crown of England worn by a Protestant King and Queen; an Happiness which our Fathers wished and longed for in King Charles the first's and second's time, but could not obtain, the evil Consequence thereof this Nation hath sufficiently felt; therefore I may well say, O thrice happy England, didst thou know thy Happiness, and hadst an Heart to be thankful for it! Who could have thought, that notwithstanding the visible hand of God in this unparallel'd Revolution, we should still have amongst us a Korah, a Dathan, and an Abiram, a murmuring still in our Streets? Our Fore-fathers never bought their Liberty at so cheap a rate as we have

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done now; which makes it so much despised and slighted at present, as if Liberty could never be good without wading through a Sea of Blood to obtain it. We commend our Fore-fathers for standing up for their Rights and Priviledges, (without which we should have been Slaves to this day) and yet that we should Condemn one another for the same thing, though our Religion, which is infinitely more dear to us than a few worldly Liberties, lies at stake, is such an intollerable Folly that succeeding Ages will hardly give Credit to. But what is more strange, is, that some Protestants are for the Restauration of the late King James, with the young Impostor, the consequence whereof can be nothing less than Slavery, and the total Subversion of the Protestant Religion in England, as well as the endangering it throughout the World. But that the World may see what rare Notions of Civil Government our Murmurers have, I shall here set down some of the Sayings of one of their mighty Pillars of Passive Obedience, Dr. William Sherlock, as they are in his Case of Resistance of the Supreme Powers.

No Man wants Authority (*says the Dr. pag. 59.*) to defend his Life against him who has no Authority to take it away; but yet he tells you most learnedly, p. 113. that The Prince is the Powers or Authority; (not the Laws) and in p. 198. that The King receives not his Sovereign Authority from the Law; and in p. 89. he says, that there could not be greater
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not more absolute Tyrants than the Roman Emperors were, and yet they had no Power over the meanest Christian, but by an express Commission from Heaven: And he tells you further, p. 116. that When we resist our Prince, we resist the Ordinance, Constitution and Appointment of God. What In-
vincible Arguments are these for Passive Obedience, which makes God the Author of all the Outrages, Cruelties, Rapin's and Blood-shed that have been committed in the World by Sovereign Princes ! but I think the Dr. has taken the right way (if there be any) to establish the Doctrine of Passive Obedience without reserve. St. Peter exhorted the Christians to submit to every Ordinance of Man for the Lords sake ; which plainly signifies (says the Ingenious Dr. p. 146.) that whatever hand Men may have in Modelling Civil Governments, yet it is the Ordinance of God, and Princes receive their Power from him : What a rare Argument is this for Tyranny, Oppression, and Idolatry, &c. for according to the Doctor's Notion, if the Legislative Authority of a Nation should abolish the Christian Religion, and set up Paganism, Mahometanism, and Popery, and make never such Unjust and Tyrannical Laws, yet it would be the Ordinance of God. Since I can hardly find throughout all the Doctor's Book, he knows what any part of Civil Government is, and least he should take an established Religion to be no part thereof, I shall make bold to tell him,
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that when a Religion is established by the Legislative Authority of any Nation, it becomes part of the Civil Government, and is to be defended and supported by the Administrator of that Government. The Dr. hath many more as rare Arguments as these, but for brevity sake I omit them, these being sufficient to shew upon what rock this sort of Men build their Notions of Passive Obedience.

I challenge all the New Dissenters in England, and all the Conformists who have sworn Allegiance to their Majesties only as King and Queen De Facto: but more particularly, Dr. Will. Sherlock, Shadrach Cook, John Leke, Dr. Francis Thompson, Person, Dr. — Audley, Will. Gefford of Suffolk, John Hart of Tanton, Wood, Cuff, John Norris of Cambridge, Richard Stafford, and the Author of the History of Passive Obedience, together with Sir R. LeStrange and all his Pupils, to Answer the following Tract.

I desire these Learned Men to resolve me this Case of Conscience, Whether or no those who joyned with or assisted the Prince of Orange, upon his Arrival, are not guilty of Rebellion? and whether or no those Divines and Laicks who invited him over, are not more guilty of Rebellion, (according to the Doctrine of Passive Obedience, without reserve, as being the first Cause thereof) than they that joyned with him upon his first Arrival? and whether upon the Bishops refusing to disown their inviting him over, it does not follow that they did invite him over, and upon their re-
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fusing to subscribe to the form of an Abhorrence of the Invitation, it did not plainly imply, that they disowned the Doctrine of Passive Obedience, and allowed the resisting of Arbitrary Power? and when they desired the Prince of Orange (our present King) to take upon him the Administration of the Government, it did not imply that King James had deserted the Government, and that the Throne was thereby become Vacant?

The reason why I take this unusual way of Writing by way of Challenging of particular Men, is, because in a general Challenge no Man would reckon himself concerned in it: for what is every ones business, is no body's business; and because the Dissenters from the present Government do assert, that (the late) King James is De Jure still, and that Obedience is due to him during his Life, and that Dr. Sherlock and many others can prove the Doctrine of Passive Obedience, without reserve, to be a true Doctrine, and they hope to hear it Preach'd with as much Zeal as ever. These are the Reasons that induced me to Challenge particular Men, and to write this Tract, that there might be no Plea for the Resurrection of this absurd, nonsensical, sheepish, slavish, inhumane, Bow-string Doctrine, which one sucks in with his Milk; another he takes it to be the distinguishing Doctrine of the Church; and another believes it, because it has been told him from the Pulpit; and a fourth because a great many ingenious and learned Men have declared it to be a true Doctrine: Thus we become wise
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by Tradition and Example, having an Implicit Faith to believe whatever our Guides declarr to be the Doctrine of the Gospel, though it be never so contrary to the Justice and Goodness of Almighty God, and to undeniable Reason. If the Church in its Reformation from Popery had retained Transubstantiation, no doubt but we should have had as many and as zealous Asserters of that Doctrine as of Passive Obedience without reserve, the one being as false as the other is impossible. I remember the saying of a Passive Obedience Man, If an Angel (says he) came down from Heaven, and Preacht any other Doctrine than Passive Obedience, as it was lately taught us, I would not believe him. O what a commendable thing is it to be true to ones Principle, though it be never so ridiculous or false, or tends never so much to the Inslaving or Destruction of our Countrey!

I have hitherto (says Cato) fought for my Countreys Liberty, and for my own, and only that I might live Free among Free-men. I wish that every English-man could say that he had either fought or done something else for the good of his Countrey, which is the Ambition of

T. H.

Political

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OR THE

True MAXIMS of Government

DISPLAYED.

IT is evident that no Rule or Form of Government is prescribed by the Law of God and Nature; for that then they would be both immutable, and the self-same in all Countries. For the better proof whereof, it is necessary to shew, how far Government proceeds from Nature, and how far from Man; to wit, that Man is sociable, and inclined to live together in Company, which proceeds from Nature, and consequently also from God, that is Author of Nature; from whence do proceed all private Houses, then Villages, then Towns, then Castles, then Cities, and then Kingdoms and Common-wealths (as *Aristotle* saith in his Book of Politicks). Tho Government in like manner, and Jurisdiction of Magistrates, which does follow necessarily upon this living together in Company, be also of Nature; yet the particular form or manner of this or that Government, in this or that Fashion, as to have many Governors, few, or one, and those either Kings, Dukes, Earls, or the like; or that they should have this or that Authority more or less, for longer or shorter time, or be by Succession, or Election themselves and their Children, or next in Blood: All these things (I say) are not by Law Natural or Divine (for then, as hath been said, they should be all one in all Countries and

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Nations) for God said, *Gen. 2. 18. It is not good that Man should be alone, I will make him an Help-met* (or Assistant like unto himself): So that as this first Society of our first Parents was of God, and for so great purpose as the one to help and assist (not destroy or enslave) the other: So all other Societies, as proceeding from this first, stand upon the same ground of God's Ordinance, for the self-same end of Mans Utility or Happiness; all which is confirmed by the Consent and Use of all Nations throughout the World; which general Consent *Cicero* calleth *Ipsam vocem Naturæ*, the Voice of Nature her self. For there was never yet any Nation found either of ancient times, or of later days, by the discovery of the *Indies*, or else-where, where Men living together, had not some kind of Magistrate, or Superior to govern them; which evidently declareth, that Magistracy is also from Nature, and from God that created Nature (though not in this or that particular Form:) which Point our Civil Law doth prove in like manner, in the beginning of our Digest, *de origine Juris civilis & omnium Magistratum*, of the beginning of the Civil Law, and of all Magistrates, which beginning is referred to the first Principle of Natural Instinct, and God's Institution. Though Common-wealths and Government of the same by Magistrates are of Nature; yet the particular Forms or manner of Governments are not of Nature, but are left unto every Nation and Country to chuse what Form of Government they like best, and think most fit for the Natures and Conditions of the People.

By the State of Nature we are all equal, there being no Superiority or Subordination one above another; there can be nothing more rational, than that Creatures of the same Species and Rank promiscuously born to all the same Advantages of Nature, and the use of the same Faculties should also be equal one amongst another, without God by any manifest Declaration of his Will had set one above another, and given him Superiority or Sovereignty. Were it not for the Corruption and Viciousness of degenerate Men, there would be no need of any other State; for every one in that State being both Judge and Executioner of the Law of Nature, which is to punish according to the Offence committed:

Men

Men being partial to themselves, Passion and Revenge is very apt to carry them too far in their own Cases, as well as Negligence and Unconcernedness makes them too remiss in other Mens. This makes every one willingly give up his single Power of punishing to one alone, or more, as they shall think most convenient, and by such Rules as the Community, or those authorized by them to that purpose, shall agree on, with intention in every one the better to preserve himself, his Liberty and Property. What is it but Flattery to the natural Vanity and Ambition of Men, too apt of it self to grow and increase with the Possession of any Power, who would perswade those Monarchs in Authority, that they may do what they please, because they have Authority to do more than others; since Rational Creatures cannot be supposed, when free, to put themselves into Subjection to another for their own harm, which were to put themselves in a worse Condition than in the State of Nature, wherein they had liberty to defend their Lives and Properties against the Invasions of any Man or Men whatsoever; whereas by giving up themselves to the absolute Arbitrary Power of any Man, they have disarm'd themselves, and armed him to make a Prey of them when he pleases.

I have been the longer in speaking of the State of Nature, and the natural Instinct to Society and Government, for that it is the Fountain of all the rest that ensueth in a Commonwealth; but if we respect God and Nature, as well might all the diversity of Governments, which have been, and now are in the World, have followed one Law, as so different, but that neither God, nor Nature (which is from God) hath prescribed any of those particular Forms, but concurteth or permitteth such which the Commonwealth appoints. Can any Man say that God and Nature did not concur as well with *Italy* when it had but one Prince, as now when it hath so many, and the like with *Germany*, and also with *Switzerland*, which was once one Commonwealth under the Dukes and Marquesses of *Austria*, and now are divided into thirteen Cantons or Commonwealths, under popular Magistrates of their own? *England* also was first a Monarchy under the *Britains*, and then a Province under the *Romans*, and

after that divided into seven Kingdoms at once, under the Saxons, and after them of the Danes, and then the Normans, and then the French, and now a Monarchy again under the English; and all this by God's Providence and Permission, who suffered his own peculiar People the Jews to be under divers manner of Governments at divers times; at first under Patriarchs, *Abraham, Isaac and Jacob*; then under Captains, as *Moses, Joshua*, and the like; then under Judges, as *Othniel, Eud and Gideon*; then under High Priests, as *Eli and Samuel*; then under Kings, as *Saul, David*, and the rest; then under Captains and High Priests again, as *Zorobabel, Judas Maccabeus*, and his Brethren; until the Government was lastly taken from them, and they brought under the Power of the Romans. And last of all that God does concur with what Magistrate or Magistrates the Community thinks fit to appoint, is plain by the Testimony of holy Scripture, as when God said to *Solomon, By me Kings rule, and Nobles, even all the Judges of the Earth*, Prov. 8. 16. that is, by his Permission they govern, tho chosen by the People; and *St. Paul* to the Romans avoucheth, that Authority is not but of God, and therefore he that resisteth Authority, resisteth God, Rom. 13. which is to be understood of Authority, Power and Jurisdiction in it self according to the Laws of every Country.

All Politick Societies began from a voluntary Union and mutual Agreement of Men, freely acting in the choice of their Governours, and Forms of Government.

All Kings receive their Royal Dignity from the Community by whom they are made the Superiour Minister and Ruler of the People.

Aristotle, Cicero, Augustin, Fortescue, and all other Politicians agree, that Kingdoms and Common-wealths were existent before Kings; for there must be a Kingdom and Society of Men to govern, before there can be a King elected by them to govern them; and those Kingdoms and Societies of Men had (for the most part) some Common Laws of their own free Choice, by which they were governed, before they had Kings, which Laws they swore their Kings to observe, before they would crown or admit them to the Government, as is evident

evident by the Coronation-Oaths of all Christian and Pagan Kings continued to this Day.

The Safety of the People is the Supreamest Law; and what they by common Consent have Enacted, only for the Publick Safety, they may, without any Obstacle, alter when things require it, by the like common Consent.

The lawful Power of making Laws to command whole Politick Societies of Men, belongeth so properly unto the same intire Societies, that for any Prince or Potentate, of what kind soever upon Earth, to exercise the same of himself, and not by expresse Commission immediately and personally received from God, or else by Authority derived at first from their Consent, upon whose Persons they impose Laws, it is no better than meer Tyranny. *Laws they are not therefore, which Publick Approbation hath not made so.* Hooker's *Eccles. Pol.* l. 1. §. 10.

Whosoever (says Aristotle) is governed by a Man without a Law, is governed by a Man, and by a Beast.

As every Man, in the delivery of the Gift of his own Goods, may impose what Covenant or Condition he pleases; and every Man is Moderator and Disposer of his own Estate. So in the voluntary Institution of a King, and Royal Power, it is lawful for the People, submitting themselves, to prescribe the King and his Successors what Law they please, so as it be not Unreasonable and Unjust, and directly against the Rights of a Supream Governour.

No Man can be born an Absolute King; no Man can be a King by himself; no King can Reign without the People. Whereas on the contrary, the People may both be, and are by themselves, and are in Time before a King. By which it appears, that all Kings were and are constituted by the People, because, by the Law of Nature, there is no Superiority one above another; and God has no where commanded the World, or any part thereof, to be governed by this or that Form, or by this or that Person; therefore all Superiority and Authority must, and does proceed from the People, since, by the Law of God and Nature, there is no Superiority one above another.

Aristotle

Aristotle saith, That the whole Kingdom, City, or Family, is more excellent, and to be preferred before any Part or Member thereof.

Succession was tolerated (and appointed in the World) to avoid Competition, and *Inter-regnum*, and other Inconveniences of Election.

'Tis plain from what hath been said, that all Government proceeds from the People. Now I will prove that they have Authority to put back the next Inheritors to Government, when unfit or incapable to Govern: And also to dispossess them that are in lawful Possession, if they fulfil not the Laws and Conditions by which, and for which their Dignities were given them; and when it is done upon just and urgent Causes, and by Publick Authority of the whole Body, the Justice thereof is plain; as when the Prince shall endeavour to establish Idolatry, contrary to the Laws of the Land; or any Religion which is repugnant to the Scripture, as Popery, &c. or to destroy the People, or make them Slaves to his Tyrannical Will and Pleasure: For as the whole Body is of more Authority than the Head, and may cure it when out of order; so may the Weal-Publick cure or purge their Heads, when they are pernicious or destructive to the Body Politick; seeing that a Body Civil may have divers Heads by Succession or Election, and cannot be bound to one, as a Body Natural is: which Body Natural, if it had Ability to cut off its aking or sickly Head, and take another, I doubt not but it would do it; and that all Men would confess it had Authority sufficient, and Reason so to do, rather than the other Parts should perish, or live in Pain and continual Torment: So may the Body Politick chuse another Head and Governour in the room of its destructive One; which hath been done, for many Ages, and God hath wonderfully concurred therein (for the most part) with such Judicial Acts of the Common-Wealth against their Evil Princes; not only prospering the same, but by giving them commonly some notable Successor in Place of the Deprived, thereby both to justify the Fact, and remedy the Fault of him that went before. First, King *Saul* was slain by the *Philistines* by God's Appointment, for not fulfilling the Law and Limits prescribed unto him.

him. *Amnon* was lawful King also, yet was he slain, for that he walked not in the way prescribed him by God, 2 King. 21. and *David* and *Jessab* were made Kings in their rooms, who were two most excellent Princes. *Sholun*, *Pe-kabiah*, and *Pekab*, three wicked and idolatrous Kings of *Israel*, were, by God's just Judgment, slain one after another. And all the Kings of *Israel*, who violated the Covenant and Conditions annexed to their Crowns, did, for the most part, lose their Lives, and underwent the utter Extirpation of their Posterities from the Crown. *Rehoboham* (for only) threatening to oppress the People, was deserted by them, who chose *Jeroboham* his Servant in his stead, which was approved on by God.

If I should instance all the Kings over the Children of *Israel* whom God permitted (and appointed) to be slain, and those that were carried away Captive by the Heathens for their unjust Government, I should be too copious. But I will leave the *Hebrews*, and give you several Examples of the depriving of Evil Princes of the Government, in *France*, *Spain*, *Portugal*, &c. and last of all in *Scotland* and *England*; and of the Happiness and Prosperity that did attend those Kingdoms upon such Acts, which can be imputed to nothing but the Blessing of Almighty God which attended those Proceedings; and by consequence he approved thereof, and does approve of such Acts.

There has been two great Changes made of the Royal Line in *France*; the first from *Pharamond* to the Line of *Pepin*, the second from *Pepin* to *Hugo Capet*. *Childerick* the Third was deprived for his Evil Government, and *Pepin* was chosen King in his stead; whose Posterity reigned for many Years after him, and were brave Kings, as History doth testify.

Lewis the Third, and *Charles* surnamed *Le-Gross*, were both deprived by the States of *France* for their ill Government, and such who were thought more worthy, appointed in their stead. All French Histories do attribute to these great Changes that have been made by the People, the Prosperity and Greatness of their present Kingdom. *Henry* the Third, before

before he was King of *France*, was chosen King of *Polonia*: But for departing thence without leave, and not returning at his Day, was deprived by publick Act of Parliament. If I were to mention all the Acts of this Nature throughout *Europe*, I should be too tedious, therefore I will mention only some few.

In *Spain*, *Flavio Suintila* was deprived for his Evil Government, together with all his Posterity, and *Sissinando* chosen in his room.

Don Pedro, surnamed the *Cruel*, for his injurious Proceedings with his Subjects, they resolved to dethrone him; and to that intent sent for a Bastard Brother of his, named *Henry*, that lived in *France*, desiring him to come, with some French Men, to assist them in that Act, and take the Crown upon himself. Which he did, by the help of the *Spaniards*, and slew him in Fight hand to hand, and so enjoyed the Crown, as doth his Off-spring to this Day. This *Henry* was a most Excellent King, as well for his Courage in War, as for his other brave Qualities.

In *Portugal*, *Don Sanco* the Second, was deprived, by the Universal Consent of all *Portugal*, and *Don Alanso* his Brother set up: Who, amongst other great Exploits, was the first that set *Portugal* free from all Subjection, Dependance, and Homage to the Kingdom of *Castile*. And his Son, who was his Successor, builded and founded above forty great Towns in *Portugal*: Who was likewise a most rare Prince, and his Off-spring ruleth there to this Day.

Cisternus, King of *Denmark*, for his intolerable Cruelty, was deprived, and his Wife and three Children disinherited, and his Uncle *Frederick* was chosen King in his stead, whose Off-spring remaineth in the Crown.

In *Scotland*, the Nobility and Gentry, &c. took Arms against *Durinus* their King, for his intolerable Cruelty, and slew him and his Confederates in Battel, (and put by his Sons, lest they should imitate their Father's Vices) and elected

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Even, his Brother, King; who leaving a Bastard Son, the Kingdom was conferred on him. *Cratby Cinthus* having surprized and slain *Donald* for his Tyranny, he was unanimously Elected King. *Ethus* was, for his Evil Government, deprived, and *Gregory* made King in his stead. *Buchanan*, a Scottsman, speaking of his Country, saith, *That it was free from the beginning, created it self Kings upon this very Law, that the Empire being conferred on them by the Suffrages of the People; if the Matter required it, they might take it away by the same Suffrages.* Of which Law many Footsteps have remained even to our Age.

I will end this Narration with Examples out of England, (before and since the Conquest) *Archigallo*, *Emerian*, *Vortigern*, *Sigibert* King of the West-Saxons; *Beornred*, and *Alfred* King of Northumberland, were all deprived of their Thrones for their Evil Government, and such who were thought more Worthy preferred in their Stead. King *Edwin* being deprived for his Unjust Government, the Crown was given to his Brother *Edgar*, who was one of the rarest Princes that the World had in his Time, both for Peace and War, Justice, Piety, and Valour: He kept a Navy (saith *Stow*) of three thousand and six hundred Ships, distributed in divers Parts for defence of the Realm; and he built and restored forty seven Monasteries at his own Charge, &c.

The Crown of England hath been altered by the Community, and settled upon those from whom they expected more Justice than from the right Heirs; Witness the Electing and Crowning of *Edelwald* and *Casibelian*; *Egbert* not next in Blood, *Edward*, *Adalston*, and *Harold*, who were all Illegitimate; and *Eared*, against the Right of his two Nephews, *Canutus* a Foreigner, and *Hardiknute*, without Title, and *Edward the Confessor*, against the Right Heirs.

After the Conquest, Anno. 1087. *Robert* the Elder Brother was put aside, and *William Rufus*, the third Son of *William* the Conqueror, was Elected: After whose Death, *Henry* the First, his Younger Brother (though not next Heir) was chosen by the People, not summoned by Writ. After the Death of *Henry* the First, *Stephen* was chosen King against the right

of *Maud*, the Daughter of *Henry* the First. After his Death *Henry* the second was admitted King, against the Right of his Mother *Maud*. After the Death of *Richard* the First, King *John* (Earl of *Morton*) was Elected, and *Arthur* the Right Heir disinherited. *Henry* the Third was chosen against the Right of *Eleanor* Prince *Arthur's* Sister. At the Death of *Henry* the Third, the States of the Kingdom met and settled the Government, by appointing Officers, and what else was necessary for the Defence of the Realm, and *Edward* the Fourth was set up by the People during the Life of *Henry* the Sixth.

Now it is plain, that the Kings and Queens of *England*, ever since *William Rufus's* Time, have proceeded from those who were set up by the People against the next Heirs. King *Edward* the Second, *Richard* the Second, and *Richard* the Third, were, for not governing according to the Laws of the Land, deprived of the Government, and *Edward* the Third, and *Henry* the Fourth and Seventh, were preferred in their rooms, which were most Rare and Valiant Princes, who have done many Important Acts in this Kingdom, and have raised many Families to Nobility, put down others, changed States both abroad and at home, altered the Course of Descent in the Blood Royal, and the like; which was unjust, and is void at this Day, if the Changes and Deprivations of the former Kings were unlawful, and consequently all those Princes that have succeeded them (which yet never failed of a constant Lineal Descent) were Usurpers; and those that do pretend to the Crown of *England* at this Day, have no Title at all, (which was yet never denied) for that from those Men they descended, who were put in the place of the aforementioned, deprived by the Common-Wealth: And this is, and hath been the Custom and Practice of all Kingdoms and Common-Wealths, to deprive their Princes for their Evil Government; and that God hath, and does concur with the same, is plain from the Examples before-mentioned, of the Prosperity and Happiness that hath attended those Acts.

The Barons, Prelates, and Commons took a solemn Oath, That if King *John* should refuse to grant and confirm their Laws and Liberties, they would wage War against him so long, and withdraw themselves from their Allegiance to him, until he should confirm to them by a Charter, ratified with his Seal, all things which they required: and that if the King should afterwards peradventure recede from his Oath, as they verily believed he would, by reason of his double-dealing, they would forthwith, by seizing on his Castles, compel him to give Satisfaction. He afterwards breaking his Oath and Promise, the Barons said, *What shall we do with this wicked King? if we let him thus alone he will destroy us and our People; it is expedient therefore that he should be expelled the Throne, we will not have him any longer to reign over us: and accordingly they sent for Lewis the Prince of France, to be their King, and swore Fealty to him, but they afterwards discovering that he had sworn that he would oppress them, and extirpate all their Kindred, they rejected him, and set up Henry the Third.*

The Bishops of *Hereford, Lincoln*, and several Earls, Barons and Knights for each County, being deputed to go to *Edward II*, and demand a Surrender of the Crown, said to him, *That unless he did of himself renounce his Crown and Scepter, the People would neither endure him, or any of his Children, as their Sovereign; but disclaiming all Homage and Fealty, would elect some other for King who should not be of the Blood; upon which the King resigned his Crown, &c.* By the common Usage of *England*, which is the common Law of *England*, Kings may be deprived for evil Government, and others set up in their stead, is plain from the afore-going Examples.

Richard the First being taken Prisoner by the Emperor in his Return from the Holy Land, it was decreed, that the fourth part of all that Year's Rents, and of all the Moveables, as well of the Clergy as of the Laity, and all the Wools of the Abbots of the Order of *Cisterians* and of *Semppringham*, and all the Gold and Silver Chalices, and Treasure of all Churches, should be paid in towards the Ransom of the King, which was done accordingly. If all this was given for the Liberty of one Man; certainly much more ought to be given now,

when all our Liberties and Properties, and even our Religion too lies at stake, if Necessity required it, which God forbid.

By the Law of Nature, *Salus Populi*, the Welfare of the People, is both the supream and first Law in Government, and the scope and end of all other Laws, and of Government it self; because the Safety of the Body Politick is ever to be preferred before any one Person whatsoever.

No Human Law is binding which is contrary to the Scripture, or the general Laws of Nature.

Religion doth not overthrow Nature, whose chiefest Principle is to preserve her self; and God doth not countenance Sin in the greatest, but rewards the Punisher, witness *Job*, &c.

The end for which Men enter into Society, is not barely to live, but to live happily, answerable to the Excellency of their Kind, which Happiness is not to be had out of Society.

All Common-wealths are in a State of Nature one with another.

As Magistrates were designed for a general Good; so the Obligation to them must be understood so, as to be still in Subordination to the main End; for the reason of all Law and Government is the Publick Good.

Government being for the benefit of the Governed, and not for the sole advantage of the Governours, but only for theirs with the rest, as they make a part of that Politick Body, each of whose Parts and Members are taken care of, and directed in their peculiar Function for the good of the whole, by the Laws of the Society.

The end of Government being the Preservation of all as much as may be, even the Guilty are to be spared where it can prove no prejudice to the Innocent.

“The publick Power of all Society is above every Soul contained in the same Society; and the Principal use of that Power is to give Laws unto all that are under it, which Laws in such cases we must obey, unless there be reason shewed which may necessarily inforce that the Law of Reason or of God doth injoyne the contrary. *Hooker Eccl. Pol. l. 1. §. 10.*

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"*T. Cicero* saith, there is one Nature of all Men; that even Nature it self prescribes this, that a Man ought to take care of a Man who ever he be, even for this very cause, that he is a Man. If otherwise, all human Conso- ciation must necessarily be dissolved; therefore, as there are two Foundations of Justice: First, that no hurt be done to any; next, that the Profit of all, if it can be done, be advanced.

That all Magistrates and Governours do proceed from the People, is plain from the following Examples in Scripture: *Deut.* 16. 18, 19. the Children of *Israel* are commanded to make Judges and Officers throughout their Tribes. *Deut.* 17. 14, 15. *When thou art come into the Land, &c.* and shalt say, I will set a King over me, like as all the Nations that are about me: Thou shalt in any wise set him King over thee, whom the Lord thy God shall choose: One from among thy Brethren shalt thou set over thee; thou mayst not set a Stranger over thee. So God did only reserve to himself the Nomination of their King; by which he designed to make his People more happy than they could expect by their own peculiar Choice; he knowing the Heart of Man, and Corruption of his Nature, would be sure to nominate such who was most fit to govern his People.

God did not require the Jews to accept of him for King whom he should chuse, but left it to their own free Will, whether they would accept him or no, is plain from the following Examples. Upon the Death of *Saul*, *David* was set up by the Appointment of Almighty God, yet there was only the Tribe of *Judah* that followed *David* and made him King, eleven Tribes following *Ishbosherb*, *Saul's* Son, whom they made King; and though *David* had a long War against the House of *Saul*, yet he calls them not Rebels, neither do we find that God punished them, or sent any Judgment upon them for not accepting of *David* as King; and when *Rehob* and *Banah* had slain *Ishbosherb*, and brought his Head to *David* at *Hebron*, saying, Behold the Head of thine Enemy! yet *David*, instead of rewarding them, caused them to be slain for killing of *Ishbosherb*, whom he calls a righteous Person, not a Rebel: After whose Death all those Tribes came

came to David, and made a Compact with him for the performance of such Conditions which they thought necessary for the securing of their Liberty before they made him King: 2 Sam. Chap. 2, 3, 4, 5. The making of Solomon King by David his Father, was not thought sufficient without the Peoples Consent, else why did the People anoint Solomon, and make him King the second time. We read, *Judg.* 8. 21, 22, 23. that after Gideon had slain Zebah and Zalmunna with the Midianites, the Children of Israel said unto Gideon, Rule thou over us, both thou and thy Sons, and thy Sons Son also; for thou hast delivered us from the Hand of Midian. But he refusing their Offer, they afterwards made his Bastard-Son Abimelech King, though he had threescore and ten lawfully begotten Sons. Zimri having slain Baasha King of Israel, reigned in his stead, but the Children of Israel hearing thereof, rejected him, and made Omri the Captain of the Host King of Israel, 1 Kings 16. 15, 16. The Kingdom of Edom appointed a Deputy to rule over them instead of a King, and gave him Royal Authority, there being then no King in Edom, 1 Kings 22. 47. See *Macchab.* 9. 28, 29, 30. & 13. 8, 9. & 14. 41 to 49. By which it is further apparent that their Kings and Governours were chosen by the People.

As propinquity of Blood is a great Preheminence towards the attaining of any Crown, yet it doth not bind the Commonwealth to yield thereto, and to admit at hap-hazard every one that is next by Succession of Blood, (as was falsely affirmed by R. *L'estrang* and many others, when the Parliament would have disinherited the Duke of York as unfit to govern this Nation, he being a Papist) if weighty Reasons require the contrary, because she is bound to consider well and maturely the Person that is to enter, whether he be like to perform his Duty and Charge to be committed to him: For to admit him that is an Enemy or unfit to govern, is to consent to the destroying of the Commonwealth. See how God dealt in this point with the Children of Israel, 1 Sam. 8. after he had granted to them the same Government as the other Nations round about them had, whose Kings did ordinarily reign by Succession as ours do at this day, and as most of the Kings of the Jews did afterwards: yet that this Law of succeeding by Proxi-

Proximity of Birth, though for the most part it should prevail, yet He shewed plainly that upon just Causes it might be altered, as in the case of *Saul*, who left behind him many Children, yet not any of them succeeded him, except *Ishbosheth*, who was not his eldest Son, who was anointed King by *Abner* the general Captain of that Nation, to whom eleven Tribes followed, until he was slain; and then they chose *David*. And *Jonathan*, *Saul's* other Son, so much praised in holy Scripture, being slain in War, his Son *Mephibosheth* did not succeed in the Crown, though by Succession he had much greater Right to it than *David*. God promised *David* that his Seed should reign (for ever) after him — Yet we do not find this performed to any of his elder Sons, nor to any of their Offspring, but only to *Solomon* his younger and tenth Son. *Rehoboam*, the lawful Son and Heir of King *Solomon*, coming to *Shichem*, where all the People of *Israel* were assembled together for his Coronation and admission to the Crown, (for until that time he was not accounted true King) who refusing to ease them of some heavy Impositions which they had received from his Father, ten Tribes of the twelve refuse to admit him their King, and chose *Jeroboam* his Servant, and made him their lawful King, and God allowed thereof; for when *Rehoboam* had prepared an hundred and fourscore thousand chosen Men, who were Warriors, to reduce those ten Tribes to the Obedience of their Natural Prince, God commanded them to desist by his Prophet *Shemaiah*, and so they did. These and the like Determinations of the People about admitting or refusing of Princes to reign or not to reign over them, when their Designments are to good Ends, and for just Causes, are allowed by God, and oftentimes are his own special Drifts and Dispositions, though they seem to come from Man.

He who is set up or made King by the Consent of the People, hath a just Title against the next Heir of the Blood and his Issue, who are put by the Crown; else most of the Princes now reigning in *Europe* would be Usurpers, and want good Titles to their Crowns, they or their Ancestors being set up by the People, which were not the right Heirs of the Royal Stock.

The Laws of the Commonwealth is the very Soul of a Politick Body.

Kings

Kings and Emperors always have been, are, and ought to be subject to the Laws of their Kingdoms; not above them, to violate, break or alter them at their pleasures, they being obliged by their Coronation-Oaths, in all Ages and Kingdoms, inviolably to observe them: for St. *Paul* saith, A Prince is the Minister of God for the Peoples Good, and Tribute and Custom are paid to him, that he may continually attend thereto.

The Defence and Procuration of the Common-wealth is to be managed to the benefit of those who are committed, not of those to whom it is committed. A just Governour for the benefit of the People, is more careful of the Publick Good and Welfare, than of his own private Advantage.

Allegiance is nothing but Obedience according to Law, which when the Prince violates, he has no Right to Obedience.

There is a mutual Obligation between the King and People, which whether it be only Civil or Natural, tacit, or in expresse Words, can be taken away by no Agreements, violated by no Law, rescinded by no Force.

A Kingdom is nothing else but the mutual Stipulation between the People and their Kings.

The supream Authority of a Nation belongs to those who have the Legislative Authority reserved to them; but not to those who have only the Executive, which is plainly a Trust when it is separated from the Legislative Power; and all Trusts by their Nature import, That those to whom they are given are accountable, though no such Condition is specified.

If the Subject may in no case resist, then there can be no Law, but the Will and Pleasure of the Prince; for whoever must be opposed in nothing, may do every thing; then all our Laws signify no more than so many Cyphers: And what are the Law-makers but so many Fools or Mad-men, who give themselves trouble to no purpose? For if the King is not obliged to govern by those Laws that they make, to what purpose are the People to obey such Laws?

Whether another has Right to my Goods, or, if he demand them, I have no Right to keep them, is all one.

If the King sue me by pretence of Law, and endeavour to take away my Money, my House or my Land, I may defend them by the Law; but if he comes armed to take away my Liberty,

Liberty, Life and Religion, which are mine by the Laws of God and Man, may I not secure them with a good Conscience?

Every Man has a Right to preserve himself, his Rights and Privileges, against him who has no Authority to invade them: And this was the Case of *Moses*, who seeing an Egyptian smiting an Hebrew he slew him. And *Samson* made War upon the Philistines for burning his Wife and her Father, who were both but private Persons, who knew they could have no other kind of Justice against them, but what the Law of Nature gives every Man.

We ought (saith the Learned *Junius Brutus* in his Discourse of Government) *to consider that all Princes are born Men.* We cannot therefore expect to have only perfect Princes, but rather we ought to think it well with us if we have gained but indifferent ones: therefore the Prince shall not presently be a Tyrant if he keep not measure in some things, if now and then he obey not Reason, if he more slowly seek the Publick Good, if he be less diligent in administering Justice. For seeing a Man is not set over Men as if he were some God, as he is over Beasts, but as he is a Man born in the same Condition with them: as that Prince shall be proud, who will abuse Men like Beasts; so that People shall be unjust, who shall seek a God in a Prince, and a Divinity in this frail Nature. But truly if he shall wilfully subvert the Republick; if he shall wilfully pervert the Laws; if he shall have no care of his Faith, none of his Promises, none of Justice, none of Piety; if himself become an Enemy of his People, or shall use all or the chiefest Notes we have mentioned, then verily he may be judged a Tyrant, that is, an Enemy of God and Men: And by how much longer he is tolerated, the more intolerable he becomes, and they may act against him whatever they may use against a Tyrant either by Law or just Force. Tyranny is not only a Crime, but the Head, and, as it were, the heap of all Crimes; therefore is he so much the more wicked than any Thief, Murtherer, or sacrilegious Person, by how much it is more grievous to offend many and all, than particular Persons. Now if all these be reputed Enemies, if they be capitally punished, if they suffer pains of Death, can any invent a Punishment worthy so horrid a Crime?

The Laws are the Nerves and Sinews of Society; and as the Magistrate is above the People, so is the Law above the Magistrate, or else there can be no Civil Society.

He who makes himself above all Law, is no Member of a Common-wealth, but a meer Tyrant.

If a Magistrate, notwithstanding all Laws made for the well-governing a Community, will act plainly destructive to that Community, they are discharged either from Active or Passive Obedience, and indispensibly obliged by the Law of Nature to Resistance.

Is it not reasonable and just I should have a right to destroy him who threatens me with Destruction? for by the Fundamental Law of Nature, Man being to be preserved as much as possible, when all cannot be preserved, the Safety of the Innocent is to be preferred; I say, he who having renounced his Reason, the common Rule and Measure God hath given to Mankind, by endeavouring to destroy me, is thereby become as a Beast of Prey, and ought to be treated accordingly.

The Laws (says Tully) are above the Magistrates, as the Magistrates are above the People.

He who is destructive to the Being of another, hath quitted the Reason which God hath given to be the Rule betwixt Man and Man of Justice and Equity, hath put himself into the State of War with the other, and is as noxious as any savage Beast that seeks his Destruction.

No Man in Civil Society can be exempted from the Laws of it: for if there be no Appeal on Earth, for Redress or Security against any Mischief the Prince may do, then every Man in that Society is in a State of Nature with him, in respect of him.

Thucides l. 2. saith, "Not only those are Tyrants who reduce others into Servitude, but much rather those, who when they may repulse that Violence, take no care to do it; but especially those who will be called the Defenders of Greece and the Common Country, but yet help not their oppressed Country."

If a Man may be a Wolf to a Man, nothing forbids but that a Man may be a God to a Man, as it is in the Proverb. Therefore Antiquity hath enrolled *Hercules* amongst the number

ber of the Gods, because he punished and tamed *Procrustes*, *Buſſyris*, and other Tyrants, the Pelts of Mankind, and Monſters of the World. So alſo the Roman Empire, as long as it ſtood free, was often called the Patrocine againſt the Robberies of Tyrants, becauſe the Senate was the Haven and Refuge of Kings, People and Nations.

It is as lawful, and more reaſonable, to prevent the overthrowing of our Religion, Laws, Rights and Privileges, from any Man or Men whatſoever amongſt our ſelves, as from a foreign Power ; becauſe one acts contrary to the Laws of God and the Country, and the other being not ſubject to the Laws of the Country, can be no ways bound by it.

It was thought no Injuſtice in the Ship to caſt out the Prophet, when they found he was likely to prove the Wrack of them all ; and the Almighty ſhewed he approved of their Act, by quieting the Storm when he was gone. The Scripture, that hath ſet us none but good Examples, tells us, That ſome Princes ſhould not have one of their Race left that piſſeth againſt the Wall : Now what were their Faults but Idolatry and Oppreſſion of their People ? Then how can it be a Sin in a Nation to free themſelves from an idolatrous and oppreſſing King ? When it is done by the greateſt and moſt conſiderable part thereof, it does ſilently imply a Conſent of God ; for it cannot be Covetouſneſs or Ambition that moves ſuch a Multitude.

When once the Chriſtian Religion is become a part of the Subjects Property by the Laws and Conſtitutions of the Country, then it is to be conſidered as one of their principal Rights : and ſo may be defended as well as any other Civil Right ; ſince that thoſe different Forms of Government that the Jews were under, is no Rule for the Government of any Nation or People whatſoever.

The Principles of Natural Religion give thoſe who are in Authority, no Power at all, but only ſecure them in the Poſſeſſion of that which is theirs by the Laws of the Country.

That Cauſe is juſt which defends the Laws, which protects the Common Good, which ſhall preſerve the Realm : And that Cauſe is unjuſt which violates the Laws, defends the Breakers of the Laws, protects the Subverters of the Country. That is juſt which will deſtroy Tyrannical Government ; that unjuſt

which would abolish just Government ; that lawful which tends to the Publick Good, that unlawful which tends to the Private.

But alas, that Bug-bear *Dagon of Passive Obedience*, is a Notion crept into the World, and most zealously, and perhaps as ignorantly defended : Here all our Laws and Decrees, by which we are governed, are of the Peoples Choice ; first made by the Subject, and then confirmed by the King. Here a King cannot take our Sons and Daughters, our Fields and Vineyards away, unless we please to give him them.

Where was the Doctrine of Passive Obedience, when *Elisha* prayed for Blindness to come upon those who were sent by the King of *Syria* to fetch him ? And when he commanded the Door to be shut, and the Messenger to be held fast who was sent for his Head by the King of *Israel* ? And when *Azariah*, with fourscore valiant Priests, thrust out *Uzziah*, their lawful King, out of the Temple ? And when *Elijah* destroyed the two Captains with Fire from Heaven, with the hundred Men under their Command, who were sent at twice, by King *Ahaziah*, to fetch him ? And when the Children of *Israel* slew *Amasiah*, their lawful King, for his Idolatry, without any appointment in Scripture, or prophecy of his Down-fall ? and yet that is no where called Rebellion, neither were they punished by his Son, whom they had made King in his Father's stead. And when *Mattathias* slew the King's Commissioner, for compelling Men to Idolatry ? And when *Mattathias* and his Friends pulled down the Altars which were adapted to Idols, 1 *Macc.* 2. 25, 45.

Where was the Doctrine of Passive Obedience when the *Edomites* revolted from *Jehoram*, and made themselves a King ? And *Libnah* did also revolt, because of his Evil Government, 2 *Chron.* 21. without any appointment, or foretelling of their Revolt by God in Scripture, or being call'd Rebels. And when *Saul's* Subjects swore that *Saul* should not kill *Jonathan* ; and they rescued him that he died not ? 1 *Sam.* 14. 45. And when *David* (though a private Man) armed himself with six hundred Men, no doubt but he designed to have fought *Saul* and his Army, if the Men of *Keliah* would have assisted him, and have been true to him ; when he enquired of
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the Lord, Whether the Men of *Keliab* would deliver him and his Men into the Hands of *Saul*? upon the Lord's answering, They would deliver them up, he and his Men departed the City, 1 *Sam.* 23. Can any Man imagine their meaning was to run up and down the Country together, and fly before *Saul* and his Army, if they had been able to cope with any Number he could bring or send against them? If Resistance was Unlawful, and a Sin, surely *David*, a Man after God's own Heart, would have known it; and then he would not have involved the six hundred Men that came to his Assistance in the Sin of Rebellion, but have told them, that the Prince was not to be resisted, though never so great a Tyrant.

Where was the Doctrine of Passive Obedience, when *Constantine* the Great aided the oppressed Christians and Romans, against the Tyranny and Persecution of the Emperors, *Maxentius* and *Maximinus*, with Force of Arms, with which he conquered those Persecutors in several Battels, fought against them at the Christians earnest Importunity? And when the Primitive Christians resisted *Lucinius* their Emperor, for persecuting them contrary to Law; and *Constantine* the Great joined with them, who held it his Duty, saith *Eusebius*, to deliver an infinite multitude of Men, by cutting off a few wicked Ones, as the Pests and Plagues of the Time. And when the Primitive Christians of *Constantinople* opposed *Asper's* being made Emperor; but *Leo* being named, they consented thereto. And when the Christians, under the King of *Persia*, resisted him for persecuting them, and was assisted by *Theodosius* the Roman Emperor, who told the King of *Persia*, He was ready to defend them, and no ways to see them suffer for Religion? And when the Christians of *Armenia* the Greater, made a League with the Romans for the securing of their Persons and their Religion, against the *Persians* under whom they lived? And when the *Novatians*, assisted by the *Orthodox*, resisted and beat the *Macedonians*, though they were assisted by *Constantinus* the Emperor, with four thousand Men to drive them from *Paphlagonia*? And when the Primitive Christians destroyed *Julian's* Idolatrous Temple in his Reign?

Where was the Doctrine of Passive Obedience, when the *Lutheran* Churches defended themselves against the Emperor
Charles

Charles the Fifth ? And when the Protestants of *Austria* took up Arms, *Anno 1608*, against *Matthias* King of *Hungaria*, for denying them the free Exercise of their Religion ? And when Queen *Elizabeth* assisted the *Hollanders* against their lawful Sovereign ? And when she assisted the Protestants of *France*, against their lawful Sovereigns *Charles the Ninth*, and *Henry the Third* ? And when King *Charles the First*, and the Bishops and Clergy of *England* assisted the Protestants of *France* ? And when the Protestant Princes of *Germany* invited *Gustavus Adolphus*, King of *Sweden*, to come into *Germany* to assist the Protestants against their lawful Prince for persecuting them ? And when the Protestants joined with him upon his Arrival ? And when King *Charles the First* assisted them with Men from *England* ? So that, according to this Christian Doctrine of *Passive Obedience*, Queen *Elizabeth*, and King *Charles the First*, with the Bishops and Clergy of *England*, and several other Princes and States, have been guilty of *St. Paul's* Damnation ; for they that are aiding and assisting to Rebels, are as guilty as those that are actually in it.

Lucifer Calaritanus, a famous Christian, wrote a Book against *Constantinus* the Emperor, which he sent him to read ; wherein he calls him, and his Idolatrous Bishops, *Blasphemers* ; and charges him with inviting the Christians to Idolatry, and tells him, *he ought to be put to Death for so doing, by the Command of God, in Dent. 13.* where God says, *That he that (but) intices secretly to Idolatry, shall be put to death.* And this was approved on by the great Bishop *Athanasius*, and those Christians that were with him, who calls it, *The Light of Truth, the Doctrine of the True Faith : How came you (says he to Calaritanus) to understand the Sense and Meaning of the Scripture so perfectly, if the Holy Ghost had not assisted you in it ?* Now I would fain know, whether he that is aiding and assisting towards the bringing in of Idolatry, (as the Popish Religion is) is not as worthy of Death, as he that only inticeth to Idolatry ? And this is the Case of many who call themselves of the Church of *England*, who are for the Restoration of King *James*, and by consequence of Idolatry.

Surely if God had commanded the Yoke of Subjection to the Tyrannical Will of Princes, 'tis strange that neither the
Prophets,

Prophets, *Elisha* and *Elijah*, nor *Azariah*, nor *David* with his Followers, nor the Jews under their Kings, nor the Primitive Christians after their Religion was established by Laws, nor any of the Reformed Churches, should not have known this Doctrine of *Passive Obedience*.

In the Barons Wars, under *Simon of Monfort*, the King and his Sons were taken Prisoners ; but the Prince escaping, fights *Simon* and kills him : The Historians of those Times calls him not a Rebel or a Traytor, but a Martyr for the Liberties of Church and State.

If Resistance be unlawful upon any Account whatsoever, then were all those People guilty of Rebellion, who in all Ages have resisted or turned out their Evil and Destructive Kings and Governours ; and then the Jews were guilty of this Sin, for slaying and turning out several of their Kings, without any appointment from God in Scripture. So likewise the Primitive Christians did involve themselves under the Guilt of *St. Paul's* Damnation, for resisting of their Kings and Emperors ; and likewise the Christians in all Ages since, who have resisted their Princes by turning them out, &c. And then Bishop *Athanasius*, (Author of our *Creed*) and those Christians with him, did also come under the Guilt of *St. Paul's* Damnation, for approving of *Calaritanus's* Book, which, according to the Doctrine of *Passive Obedience*, was a Treasonable and Rebellious Book ; for the Incendiaries to Rebellion, are as guilty as they that are actually in it. And then all those Princes that have been set up by the People, in the room of those whom they have turned out, (for their Evil Government) were Usurpers ; and consequently all those who have succeeded them, where the Descent of the Blood is altered, are Intruders, Usurpers, and no lawful Kings.

Were the Doctrine of *Passive Obedience*, without reserve, a True Doctrine, no doubt but we should have had a better Account thereof than from a few Court-Divines, who have most learnedly interpreted the Will and Pleasure of the Prince against the Laws of Nature, or of the Country, to be the Powers which *St. Paul* requires Obedience unto, under the pain of Damnation. So by consequence the Law ceaseth to be the Powers ; then we are in a worse condition than in the State of Nature.

With

With what Face can any Man assert that *Passive Obedience*, without reserve, is the Doctrine of the Gospel? which is charging God with as palpable a Contradiction as any two things can be, it being diametrically opposite to the Law of Self-preservation, which is the Law of Nature, and the Decree of the Almighty, which Law is Sacred, and not to be infringed by any Man.

God never commanded any thing contrary to the Law of Nature, unless it were in the Case of *Abraham* in commanding of him (as a tryal of his Faith) to offer up his Son *Isaac*.

Protection is the only cause of Allegiance and Obedience, is plain, from the Example of *David* and his six hundred Men, who were protected from *Saul* and his Army, by *Achish* King of the *Philistines*, who gave them *Ziklag* to live in, and *David* and his Men fought for the *Philistines* against the *Geshurites*, *Gezrites* and the *Amalekites*, and subdued them. *David* owed no Allegiance to *Saul*, who sought his destruction, is plain; for when *Achish* told *David* that he and his Men should go with him to fight against the Children of *Israel*; *David* offered his service, and said to *Achish*, Surely thou shalt know what thy Servant can do. Then *Achish* said unto *David*, Therefore I will make thee keeper of my Head for ever. So *David* and his Men went in the rear of the Army; and when the Lords of the *Philistines* would not let *David* and his Men fight for them, lest they should betray them into the hands of *Saul* and his Army, then *David* expostulated with *Achish*, and said, What have I done? and what hast thou found in thy Servant, so long as I have been with thee unto this day, that I may not go fight against the Enemies of my Lord the King? 1 Sam. Chap. 27, 28, 29. This is a plain case, that *David* intended to fight *Saul* and his Army. Now the Intention of the Mind is as bad as the Act; and yet it is no ways said, that *David* repented thereof, or of his arming the six hundred Men (before mentioned) with design to fight his lawful Sovereign King *Saul*.

The Primitive Christians took Protection to be the only cause of Allegiance: For when *Julian* the Apostate was chosen Emperor of the *Romans*, (not by the free Consent of the People, but) by the Souldiers, during the Life of *Constantine* the

the lawful Possessor of the Throne. The Christians did not reckon themselves obliged to fight for *Constantius* against *Julian*; for they troubled not their Heads with the Rights of Princes.

Augustus, tho he had violently usurped the Throne, yet he was confirmed in it by the People and Senate of *Rome*, who established it in his Family by a long Prescription, when *St. Paul's* and *St. Peter's* Epistles were wrote, of Obedience to the Laws to Kings and Magistrates: so that we see that Obedience was required to an Usurper under the pain of Damnation, when the Government was confirmed to him by the People, that is, by the Majority, for it cannot be thought that every Body consented thereto.

Apolonius Thyaneus, writing to the Emperor *Domitian*, saith, *These things have I spoken concerning Laws; which if thou shalt not think to reign over them, then thy self shalt not reign.*

In Matrimony, which is the nearest and strictest Obligation of all others, by which those who were two, are made one Flesh, if one Party forsakes the other, the Apostle pronounceth the Party forsaken to be free from all Obligation, because the Party deserting violates the chief Conditions of Marriage, &c. *1 Cor. 7. 15.* And shall not the People be much more absolved from their Allegiance to that King who has violated his Oath, and the Laws of the Land, the very cause for which they swear Allegiance to him?

Absolute Monarchy is inconsistent with Civil Society; and therefore can be no Form of Civil Government, which is to remedy the Inconveniencies of the State of Nature.

No Man, or Society of Men, have Power to deliver up their Preservation, or the Means of it, to the absolute Will of any Man; and they will have always a right to preserve what they have not Power to part with.

No Power can exempt Princes from the Obligation, to the Eternal Laws of God and Nature.

As no Body can transfer to another more Power than he has in himself, and no Body has an Absolute Arbitrary Power over himself, or over any other, to destroy his own Life, or take away the Life and Property of another; therefore a Man cannot give such Authority to any, or subject himself to the Ar-

bitrary Power of another : for the Law of Nature is an Eternal Rule to all Men, whose Actions must be conformable to that Law, which is the Will of God. For the Fundamental Law of Nature being the Preservation of Mankind, no human Law can be good or valid against it; and much less the Will and Pleasure of a Prince against the Law and Custom of the Country, which shall be prejudicial to the Subject.

As the Happiness and Prosperity of Kingdoms depend upon the Conservation of their Laws; if the Laws depend upon the Lust of one Man, would not the Kingdom fall to ruin in a short space? But the Laws are better and greater than Kings, who are bound to obey them. Then is it not better to obey the Laws, rather than the King? Who can obey the King violating the Law? Who will or can refuse to give Aid to the Law when infringed?

It is impossible any Body in a Society should have a right to do the Community harm.

All Kings and Princes are, and ought to be bound by the Laws, and are not exempted from them, and this Doctrine ought to be inculcated into the Minds of Princes from their Infancy.

Let the Prince be either from God, or from Men, yet to think that the World was created by God, and in it Men, that they should serve only for the benefit and use of Princes, is an Absurdity as gross as can be spoken; since God hath made us free and equal: But Princes were ordained only for the People's benefit, that so they might innocently preserve Human and Civil Society with greater Facility, helping one the other with mutual Benefits.

In all Disputes between Power and Liberty, Power must always be proved, but Liberty proves it self; the one being founded upon positive Law, the other upon the Law of Nature.

With what Ignorance do some assert, that *Adam* was an Absolute Monarch, and that Paternal Authority is an Absolute Authority? for that the Father of a Family governs by no other Law than by his own Will; and the Father is not to be resisted by his Child? and that *Adam* had a Monarchical, Absolute, Supream, Paternal Power? and that all King-
ly

Is Authority is a Fatherly Authority, and therefore irresistible? and that no Laws can bind the King, or annul this Authority?

How could *Adam* be an Absolute Monarch, when God gave him the Herbs but in common with the Beasts? *Gen. 1. 29, 30.* Can it be thought that God gave him an Absolute Authority of Life and Death over Man, who had not Authority to kill any Beast to satisfy his Hunger? certainly he had no Absolute Dominion over even the Brutal part of the Creatures (much less over Man) who could not make that use of them as was permitted to *Noah* and his Sons, *Gen. 9. 3.* where God says, *Every moving thing that liveth shall be meat for you; even, as the green Herbs, have I given you all things.* Is it not as reasonable to believe, that God would have cursed *Adam* if he had killed his Son *Abel*, as *Cain* for killing him? *Cain* was very sensible every one had, by the Law of Nature, a right to kill him for being guilty of Blood, when he said, *every one that found him, should slay him,* *Gen. 4. 14.* God made no exemption to the greatest Man living who should be guilty of innocent Blood, when he said, *He that sheddeth Mans Blood, by Man shall his Blood be shed,* *Gen. 9. 6.* neither *Noah* or his Sons were exempted from this great Law; and therefore could have no absolute Authority: since God has no where given any Man such Authority, there can be no such Authority; for the Community cannot make themselves Slaves by investing such an Authority in any Man: should they do it, it is not binding, it being against the Law of Nature.

If *Noah* was Heir to *Adam* (I ask) which of *Noah's* Sons was Heir to him? for if by Right it descended to all his Sons, then it must have descended to all their Sons, and so on; if so, then are all Men become equal and independent, as being the Off-spring of *Adam* and *Noah*: If it descended only to the eldest, and so on, then there can be but one lawful Monarch in the World, and who that is, is impossible to be found out; so that Paternal Monarchical Authority, take it which way you will, it comes to just nothing at all.

Where human Institution gives it nor, the First-born has no right at all above his Brethren.

C. No Man has an absolute Authority over the Creatures

(much less over Mankind) because they were given (for the use of all Men) as occasion should serve; should any Man or Men destroy them for their Will and Pleasure, beyond what is necessary for the use of Man, or for his Preservation, it would be a Sin, and therefore could be no Authority; for God authorizes no Man to commit a Sin, tho he often permits it.

The Law of God and Nature gives the Father no absolute Dominion over the Life, Liberty or Estate of his Child, and therefore he can have no absolute Authority; and where there is no absolute Authority, there can be no absolute Subjection due. There is an eternal Obligation on Parents to nourish, preserve, and bring up their Off-spring, and under these Circumstances Obedience is due, and not otherwise. What is a Father to a Child more than another Person, when he endeavours to destroy him? Nay, is he not so much the more odious as the Act is more barbarous, for a Father to endeavour to destroy his own Off-spring, than for another Person endeavouring it? certainly in such a case no Passive Obedience can be due, it tending to his Destruction (not for his Good), which is no Fatherly Act, and therefore not to be submitted to.

He that lets any Person whatsoever destroy him, when it is in his power to preserve his Life by defending himself, does tacitly consent to his own Death, and therefore is guilty of his own Blood as well as he that destroys him: Whereas by defending himself, there can be but one guilty of Blood, (which is the Invader) in which Defence, if he kills the other, his Blood lies at his own door: By which it follows, that Passive Obedience to unjust Violence is a Sin, but resisting such Violence is no Sin, but the Duty of every Man. The first Duty that I owe is to God, the second to my self in preserving my self, &c. the third to my Parent and Sovereign, in obeying them in all things reasonable and lawful.

By all the Precepts in Scripture which require Obedience to Parents, Homage and Obedience is as due to the one as to the other; for 'tis nowhere said, Children obey your Father, and no more; the Mother is mentioned before the Father in *Lev. 19. 3. Ye shall fear every Man his Mother, and his Father.* Sure Solomon was not ignorant what belonged to

to him as a King, or a Father, when he said, *My Son, bear the Instructions of thy Father, and forsake not the Law of thy Mother*: And our Saviour says, *Matth. 15. 4. Honour thy Father and Mother*. And *Ephes. 6. 1. Children, obey your Parents, &c.* If Paternal Authority be an absolute Authority, I ask, Whether it be in the eldest of the Family? if so, Whether a Grandfather can dispense with his Grand-Child's paying the Honour due to his Parents by the fifth Commandment? 'Tis evident in common Sense, the Grandfather cannot discharge the Grand-Child from the Obedience due to his Parents, neither can a Father dispense with his Child's Obedience due to the Laws of the Land; therefore the Obedience required to Parents in Scripture is not to an absolute Authority, for there can be no absolute Authority where there is an Authority above it.

With what Folly and Ignorance do some assert, That the Kings of *England* are Absolute, as proceeding from *William* the Conqueror? To which I answer, That a Conqueror has no right of Dominion (much less any Absolute Authority) over the Wife and Children of the Conquered, or over those who assisted not against him.

Conquest may claim such a Right as Thieves use over those whom they can master, which is a Right of Tenure, but no Tenure of Right.

Conquest may restore a Right, Forfeiture may lose a Right, but 'tis Consent only that can transact or give a Right.

There is no other Absolute Power, than over Captives taken in a just War.

If the Possession of the whole Earth was in one Person, yet he would have no Power over the Life or Liberty of another, or over that which another gets by his own Industry, for Propriety in Land gives no Man Authority over another.

William the Conqueror made a League or Compact with the Nobles and Lords of the Land, to the performance of which, he takes an Oath to observe the ancient Laws of the Realm, established by his Predecessors the Kings of *England*, and especially of *Edward* the Confessor; as likewise did *Henry* the First, with the Emendations his Father had made to them. *Stephen* who succeeded *Henry*, made a Compact, and promi-

promiseth a Melioration of their Laws according to their Minds. *William Rufus, Henry the First, and Stephen* get the Consent of the People by promising to grant them their usual Laws, and ancient Customs. *Henry the First, Richard the First, King John, and Richard the Second*, oblige themselves at their Coronations to grant them, and then the People consented to own them as their King; and *Richard the First, and King John* were conjured by the Arch-bishops not to take upon them the Crown, unless they intended to perform their Oaths. If any King refused so to do, the Nobles thought it their Concern to hinder his Coronation, till he had either made or promised this Engagement.

What can be more absurd than to say, That there is an absolute Subjection due to a Prince, whom the Laws of God, Nature and the Country, have not given such Authority? as if Men were made as so many Herds of Cattel, only for the Use, Service and Pleasure of their Princes.

But some do object, That the anointing of Kings at their Coronations makes their Persons Sacred, Unquestionable and Irresistible, for any Tyrannical or Exorbitant Actions whatsoever. To which I answer, That every Christian's Baptism is a Sacrament of Christ's Institution; a Spiritual Union and Sanctification which makes a Person as sacred, yea more holy than the Anointing of Kings can or doth of it self, (that being no Sacrament) a Truth which no Christian can, without Blasphemy, deny: And yet no Christian is exempted from Resistance, Censure, or Punishments, according to the nature of his Crime; and therefore the Anointing of Kings at their Coronations cannot do it; It being a Ceremony of the Jews, not instituted by Christ, or any ways commanded to be continued by the Apostles, or their Successors; it signifying only the chusing or preferring one before another, and so became the Ceremony of consecrating to any special Office, and so was ordinarily used in the enstalling Men to Offices of any Eminency.

The Reign of a good King resembles that of Heaven, over which there is but one God, for he is no less beloved of the Vertuous than feared of the Bad; and if human Frailty could admit a Succession of good Kings, there were no comparison, Power being ever more glorious in one, than when it is divided.

'Tis

'Tis not the Title of a King, but the Power (which is the Laws) which is invested in him, which makes the difference betwixt him and other Men in the executing of this Power : his Person is sacred, and not to be resisted, he being above every Soul contained in the same Society, and therefore cannot be resisted, or deprived of his Office by any part, or by the whole Community, without the greatest Sin of Robbery and Injustice imaginable.

If a Government (say some) may be disturbed for any unlawful Proceedings of the Governour, or his Ministers, how can any Government be safe ? To which I answer, That it is not lawful for every private Man to fly into the Bosom of his Prince, for he is no competent Judge, be he of never so great a Quality ; else a King was the most miserable Man living, lying at the Mercy of every desperate Fellow's Censure.

It is impossible for one, or a few oppressed Men, to disturb the Government, where the Body of the People do not think themselves concerned in it, and that the Consequences seem not to threaten all ; yea when it does, yet the People are not very forward to disturb the Government ; as in King *Charles* the Second's time, when the Charters were condemned, and seized upon in order to make us Slaves, and the Laws perverted to the loss of many innocent Lives, and many other Oppressions too many to insert, and yet no body offered to disturb the Government ; I say, till the Mischief be grown general, and the Designs of the Rulers become notorious, then, and then only, will the People be for righting themselves.

Whosoever, either Ruler or Subject, by Force goes about to invade the Rights of either Prince or People, and lays the Foundation for overturning the Constitution and Frame of any just Government, he is guilty of the greatest Crime, I think, a Man is capable of, being to answer for all those Mischiefes of Blood, Rapine and Desolation, which the breaking to pieces of Governments brings on a Country ; and he who does it, is justly to be esteemed the Common Enemy and Pest of Mankind, and is so to be treated accordingly ; and how far the late King *James* was guilty of this, I leave the World to judge.

F I N I S.

(16)
The Author's Advertisements

JUST as I had finished this Book, I received a Reply to my former Book, which I thought to have Answered; but finding the Arguments to be Frivolous and Weak, and my necessary Avocations allowing me but little time, therefore I forbore answering it.

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